

REMARKS

The application has been reviewed in light of the Office Action dated December 21, 2004. Claims 1-28 are pending in this application, with claims 22-28 having been withdrawn from consideration. Of the claims presently under consideration, claims 1, 10 and 19-21 are in independent form. By the present Amendment, claims 10 and 19 have been amended. It is submitted that no new matter has been added and no new issues have been raised by the present Amendment.

Claims 1-21 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent 6,338,096 to Ukelson in view of allegedly well known web content development or manufacturing. Applicants have carefully considered the Examiner's comments and the cited art, and respectfully submit independent claims 1, 10 and 19-21 are patentable over the cited art, for at least the following reasons.

Independent claim 1 relates to a content manufacturing and distribution system for manufacturing, distributing and caching content over wireless or wired Internet to portable devices. The system comprises at least one portable device, the portable device capable of presenting users with portable device applications and content that are based on at least one of the user's community and personal preferences, the portable device including a cache for caching content packages on the portable device, a content manufacturing system that processes information, data, and application objects from general external sources and community_sources, and creates structured, searchable content packages relevant to at least one of a community, geography, and type of portable device and at least one internet server that distributes the content packages over the wireless or wired Internet to portable devices based

on at least one of community and user preferences, wherein in response to a user submitting a request to the portable device application, the portable device cache is searched and used to fulfill the user request when relevant content packages are available in the portable device cache for fulfilling the request, and wherein user requests that require content not available in the portable device cache are routed to the at least one wired or wireless Internet server and content packages fulfilling the request are streamed down to the portable device, fulfilling the user request and updating the portable device cache so that subsequent user requests have access to the updated cache.

Ukelson, as understood by Applicants, relates to a method and apparatus for transparently accessing multiple local and remote data stream types from an HTML browser. A micro web server (MWS) runs on a client computer in a separate process, along with a standard web browser. Browser initiated requests are first intercepted by the MWS for any required pre-processing prior to the requests issuance to a destination including a remote web server. When requested data is not resident on a local storage medium, the webpage is then downloaded from a remote server. The MWS performs a pre-fetch operation in which data associated with each hypertext link whose URL matches the URL of the explicit user website request is downloaded (see col. 8, lines 3-18).

The term “computer” as used in Ukelson and as the term is used today, refers to PCs, servers, workstations and laptop and not the type of portable devices contemplated in the present disclosure. For example, a portable device such as a cell phone was not and indeed still today is not thought of as a “computer.” The problems faced by Applicants and solved by the present disclosure are unique to portable devices.

The Office Action indicates that “content manufacturing according to one of (community, geography, or type of portable device) is an obvious variation of user preferences (see col. 8, line 55 et seq.).” Applicants respectfully disagree.

As understood by Applicants, in Ukelson, the MWS is capable of downloading data of non-associated links based on some pre-established criteria. The MWS might select hypertext links based solely on those links most recently accessed or on the basis of user preference or other user defined criteria. However, the cited art is not understood to teach or suggest the creation of structured, searchable content packages that can then be distributed to portable devices.

Accordingly, Applicants find no teaching or suggestion in the cited art of a content manufacturing system that processes information, data and application objects from general external sources and community sources and creates structured, searchable content packages relevant to at least one of a community, geography and type of portable device and at least one server that distributes these content packages to portable devices, as recited in independent claim 1. Accordingly, Applicants submit independent claim 1 is patentable over the cited art.

Independent claim 10 is believed to be patentable for at least reasons similar to those described above with respect to claim 1. In addition, Applicants find no teaching or suggestion in the cited art wherein objects in a content package may be associated, using automated or semiautomated methods, with geographic location of the portable device and content volatility, as recited in independent claim 10. For example, the IP address of a computer such as that described in Ukelson provides no useful information about the actual location of the computer.

In addition, Applicants find no teaching or suggestion in the cited art of a portable internet

device capable of presenting users with portable device applications and content that are based on at least one of the user's community, geographic location of the portable internet device and personal preferences, as recited in independent claim 19.

Applicants also find no teaching or suggestion of an internet server for distributing content over at least one of a wired and wireless connection to portable internet devices, wherein if relevant content packages are not available in cache, a control section forwards a request to a content manufacturing system requesting that relevant content packages be manufactured and returned to the internet server, as recited in independent claim 20.

Applicants also find no teaching or suggestion of a method for creating customized, portable web sites comprising generating content packages including customized computer applications and data that integrate third party community, external, and personal information, data, and application objects and delivering the generated content packages to the portable electronic devices used by at least one of members of the community and members of related communities in response to user requests, wherein the content packages include at least one of community logo, menu choices, physical establishments, coupons, offers, advertisements, transactions, and other community-relevant content, name, address, category, geographic location, review criteria, schedules, directions, maps, bookings, reservations, transactions, and other content, in any combination, as recited in independent claim 21.

The Office is hereby authorized to charge any additional fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

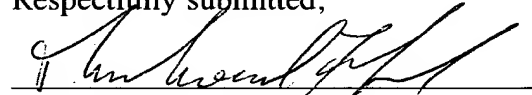
If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition, and the Commissioner is authorized to

charge the requisite fees to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Entry of this amendment and allowance of this application are respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard F. Jaworski", is written over a horizontal line.

RICHARD F. JAWORSKI

Reg. No.33,515

Attorney for Applicants

Cooper & Dunham LLP

Tel.: (212) 278-0400